

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**NEFRY BAEZ MUÑOZ**

**PLAINTIFF,**

**V.**

**MMM HEALTH CARE**

**DEFENDANT**

**CIVIL No. 09-1683 (SEC)**

**Title VII, 42 U.S.C. 2000e-2 (a)(1)**

**Request For Jury Trial**

**MOTION TO INFORM ON BROKEN SETTLEMENT NEGOTIATIONS**

**TO THE HONORABLE COURT:**

**COMES NOW THE PLAINTIFF** Nefry Baez Muñoz, by and through the undersigned counsel, to state and pray as follows:

1. A Case Management and Settlement Conference was held on December 22, 2009. During said conference, this Honorable Court advised the parties to try to settle the instant case and entered an Order to inform the Court of the settlement negotiations by January 5, 2010 (**Docket No. 15**).
2. On January 5, 2010, defendant MMM Health Care filed a motion requesting an extension to inform the Court about the settlement negotiations (**Docket No. 16**).
3. On January 13, 2010, the above captioned parties agreed to settle the instant case. The Plaintiff informed this Honorable Court of said fact on January 13, 2010 (**Docket No. 18**).

4. Immediately after the above captioned parties agreed to settle, the undersigned attorney requested from defendant's counsels to produce the Settlement Agreement Contract. Said contract was provided to the undersigned attorney on January 20, 2010.

5. On January 21, 2010, the undersigned attorney personally delivered the signed Settlement Agreement Contract to defendant's attorneys.

6. Since then, more than 10 days have passed and defendant MMM Health Care has refused to sign the contract it drafted. Defendant's attorneys have not responded to a single phone call or email made by the undersigned attorney.

7. Being it obvious that defendant MMM Health Care has no interest whatsoever in settling the instant case, plaintiff Nefry Báez Muñoz request from this Honorable Court to take notice of the fact that the plaintiff has no option but to continue to trial.

**WHEREFORE**, the plaintiff request from this Honorable Court to take notice of the foregoing information.

**RESPECTFULLY SUBMITTED** in San Juan, Puerto Rico, this 1<sup>st</sup> day of February 2010.

**CERTIFICATE OF SERVICE:** I hereby certify that the foregoing document was filed with the Clerk of the Court using the CM/ECF system, which will submit notification of such filing to attorneys Pedro A. Busó-García and Enrique R. Padró-Rodríguez.

S/Héctor Eduardo Pedrosa Luna

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